

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION	No. 2:12-md-02323-AB  MDL No. 2323
Kevin Turner and Shawn Wooden, <i>on behalf of themselves and others similarly situated,</i>  Plaintiffs,  v.  National Football League and NFL Properties, LLC, successor-in-interest to NFL Properties, Inc.,  Defendants.	Civ. Action No.: 14-cv-00029-AB
THIS DOCUMENT RELATES TO: ALL ACTIONS	

**JOINT APPLICATION BY CO-LEAD CLASS COUNSEL AND COUNSEL FOR  
THE NATIONAL FOOTBALL LEAGUE AND NFL PROPERTIES LLC FOR  
APPOINTMENT OF THE APPEALS ADVISORY PANEL AND  
APPEALS ADVISORY PANEL CONSULTANTS**

Co-Lead Class Counsel and Counsel for the National Football League and NFL Properties LLC ("Counsel for the NFL Parties") hereby recommend for appointment by the Court the members of the Appeals Advisory Panel (the "AAP") and the Appeals Advisory Panel Consultants (the "AAPC").

The Settlement Agreement creates two panels of experts for the Settlement Program, the AAP and the AAPC. The AAP is to be composed of five (5) board-certified neurologists, board-certified neuro-surgeons, and/or other board-certified neuro-specialist physicians that are agreed to and jointly recommended by Co-Lead Class Counsel and

Counsel for the NFL Parties, and appointed by the Court. The AAPC is to be composed of three (3) neuropsychologists certified by the American Board of Clinical Neuropsychology (ABCN), a member of the American Board of Professional Psychology (ABPP), in the specialty of Clinical Neuropsychology that are agreed to and jointly recommended by Co-Lead Class Counsel and Counsel for the NFL Parties, and appointed by the Court.

A member of the Appeals Advisory Panel will, among other things: (1) review certain Qualifying Diagnoses made prior to the Effective Date of the Settlement Agreement, pursuant to Section 6.4 of the Settlement Agreement; (2) review and decide whether a Retired NFL Football Player has a given level of Neurocognitive Impairment when the Qualified BAP Providers who examined the Retired NFL Football Player are not in agreement and the BAP Administrator elects, in its discretion, to refer the matter pursuant to Section 5.13 of the Settlement Agreement; and 3) be available to advise the Court or the Special Masters with respect to medical aspects of the Class Action Settlement.

The Appeals Advisory Panel Consultants are available to provide advice to members of the AAP, the Court, or the Special Masters on the neuropsychological testing that is part of the Settlement Program as pertaining to the Qualifying Diagnoses of Level 1.5 Neurocognitive Impairment and Level 2 Neurocognitive Impairment, and Level 1 Neurocognitive Impairment under the Baseline Assessment Program if subject to review by a member of the AAP.

Having jointly identified and consulted with numerous candidates for the AAP, Co-Lead Class Counsel and Counsel for the NFL Parties recommend for appointment the

following: Dr. James Brewer; Dr. David Geldmacher; Dr. Stephen Mayer; Dr. Aaron McMurtray; and Dr. Rhonna Shatz.

Having jointly identified and consulted with several candidates for the AAPC, Co-Lead Class Counsel and Counsel for the NFL Parties recommend for appointment the following: Dr. Jason Brandt; Dr. Kathy Lawler; and Dr. Glenn Smith.

The current curriculum vitae for each of the recommended candidates for the AAP are attached hereto as Exhibit "A."

The current curriculum vitae for each of the recommended candidates for the AAPC are attached hereto as Exhibit "B."

Based on the conversations the Parties have had with each of these candidates and consideration of their qualifications, including their professional and academic education, training and experience, Co-Lead Class Counsel and Counsel for the NFL Parties respectfully request that the Court appoint each of the recommended candidates to serve as members of the AAP or AAPC.

**It is so STIPULATED AND AGREED,**

By:  \_\_\_\_\_

Date: 4-14-17

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*Co-Lead Class Counsel*

By: Brad S. Karp  

Date: April 14, 2017

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*Counsel for the NFL Parties*

It is so **ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2017, that the recommended candidates for the AAP and AAPC are **APPROVED**.

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ANITA B. BRODY, J.

Copies **VIA ECF** on \_\_\_\_\_ to:

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